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14  
15 **UNITED STATES DISTRICT COURT**  
16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**  
18

19 SIDENSE CORP., a Canadian Corporation,

20 Plaintiff,

21 v.

22 KILOPASS TECHNOLOGY, INC., a  
23 California Corporation,

24 Defendant.  
25  
26

Case No. 14-02238-SI

**JOINT REQUEST FOR CONTINUANCE  
OF FURTHER CASE MANAGEMENT  
CONFERENCE AND MODIFIED  
BRIEFING SCHEDULE FOR  
KILOPASS'S PLANNED MOTION TO  
DISMISS SIDENSE'S FIRST AMENDED  
COMPLAINT**

27 Pursuant to Civil L.R. 6-1(b), 6-2 and the Court's Standing Case Management Conference  
28 Order, Plaintiff Sidense Corp. and Defendant Kilopass Technology, Inc. (collectively "the

JOINT REQUEST FOR CONTINUANCE OF FURTHER CASE MANAGEMENT  
CONFERENCE AND MODIFIED MTD BRIEFING SCHEDULE  
Case No. 14-02238-SI.

1 Parties”) hereby request that the Further Case Management Conference scheduled for Friday,  
2 October 9, 2015 be taken off calendar, pending this Court’s decision on Kilopass’s planned  
3 motion to dismiss (“MTD”) Sidense’s First Amended Complaint (“FAC”), Document 37, filed  
4 herein on August 24, 2015.

5 Kilopass’s response to the FAC is due on October 2 and it plans to file the MTD on that  
6 date. With that plan in mind, the Parties request the following schedule for further briefing and  
7 hearing on the MTD: (1) Sidense’s opposition to be filed on Friday, October 30, 2015; (2)  
8 Kilopass’s reply brief to be filed on Friday, November 13, 2015; and (3) the MTD be set for  
9 hearing on Friday, December 4, or as soon thereafter as the Court can hear the matter, with leave  
10 for the Parties to request a later hearing date to avoid undue conflict with whatever date the  
11 Federal Circuit sets for oral argument in the Parties’ pending attorneys’ fees appeal.

12 The Parties further request that, following the Court’s decision on the planned MTD, the  
13 Court set a Case Management Conference at the earliest date on the Court’s calendar that is at  
14 least 21 days after the MTD decision, in order to give the Parties adequate time to meet, confer  
15 and file a Joint Case Management Conference Statement seven days in advance of the Conference,  
16 pursuant to the Local Rules and F.R.Civ. 26(f). Among other topics to be considered prior to filing  
17 the Joint Case Management Conference Statement will be whether MTD decision has settled the  
18 pleadings and, if so, whether the Parties will engage in further settlement discussions.

19 Good cause exists for the requested continuance to avoid wasting the Court’s time and the  
20 Parties’ resources preparing for a Case Management Conference before a decision on the planned  
21 motion to dismiss.

22 This is the first requested extension of time for the Further Case Management Conference,  
23 and there are no other currently scheduled events that depend on the date of that Conference.

24 ACCORDINGLY, the Parties request that:

25 (1) the October 9, 2015 Further Case Management Conference be taken off calendar;

26 (2) after deciding Kilopass’s motion to dismiss (MTD) Sidense’s First Amended

27 Complaint (FAC), which Kilopass plans to file on or before October 2, 2015, the Further Case

28 Management Conference be rescheduled for the earliest date on the Court’s calendar that is at least

21 days after that decision;

(3) the deadlines for Sidense's opposition to Kilopass's planned MTD, and Kilopass's MTD reply be extended to Friday, October 30, 2015, and Friday, November 13, 2015, respectively;

(4) the MTD be set for hearing on Friday, December 4, 2015, or as soon thereafter as the Court can hear the matter; and

(5) if the Federal Circuit hereafter sets oral argument in the Parties' pending attorneys' fees appeal on a date which unduly conflicts with the MTD hearing date, the Parties be given leave to promptly request a mutually agreeable revised later MTD hearing date.

DATED: September 24, 2015

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By: /s/ Roger L. Cook

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1 DATED: September 24, 2015

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**CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(i)(3),  
RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

In accord with the Northern District of California's Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of other signatories who are listed on the signature pages. I shall maintain records to support this concurrence for subsequent production for the Court if so ordered, or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

September 24, 2015

/s/ Roger L. Cook

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The case management conference is continued to Friday, January 29, 2016, at 3 p.m.

Date: 9/25/15



The Hon. Susan Illston  
United States District Court Judge